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11 Attorneys for Plaintiff
12 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,
18
19 v.
20 GABRIEL DIOP,
21
22 Defendant.

23 CASE NO. 2:21-CR-00106-WBS
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25 STIPULATION REGARDING EXCLUDABLE
26 TIME PERIODS UNDER SPEEDY TRIAL ACT;
27 ORDER
28
29 DATE: February 7, 2022
30 TIME: 9:00 a.m.
31 COURT: Hon. William B. Shubb

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33
34 STIPULATION

35 Plaintiff United States of America (the “government”), by and through its counsel of record, and
36 the defendant, by and through his counsel of record, hereby stipulate as follows:

37 1. By previous order, this matter was set for status on February 7, 2022.

38 2. By this stipulation, the defendant now moves to continue the status conference until April
39 4, 2022, and to exclude time between February 7, 2022, and April 4, 2022, under Local Code T4.

40 3. The parties agree and stipulate, and request that the Court find the following:

41 a) The government has represented that the discovery associated with this case
42 includes more than 20,000 pages of discovery, images, and video files. Approximately 7,000
43 pages of this discovery has been produced directly to the defendant’s counsel, and the remainder
44 has been made available for inspection and copying pursuant to Rule 16(a)(1)(E) of the Federal
45 Rules of Criminal Procedure.

b) Counsel for the defendant desires additional time to consult with her client, review the charges, conduct investigation and research related to the charges, review and copy discovery, discuss potential resolutions with her client and the government, prepare pretrial motions, and otherwise prepare for trial.

c) Counsel for the defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 7, 2022, to April 4, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at the defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

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5 IT IS SO STIPULATED.

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8 Dated: February 1, 2022

PHILLIP A. TALBERT
United States Attorney

10 _____
11 /s/ SAM STEFANKI
12 SAM STEFANKI
13 Assistant United States Attorney

14 Dated: February 1, 2022

15 _____
16 /s/ JENNIFER MOUZIS
17 JENNIFER MOUZIS
18 Counsel for Defendant
19 GABRIEL DIOP

20 **FINDINGS AND ORDER**

21 IT IS SO FOUND AND ORDERED.

22 Dated: February 2, 2022

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25 WILLIAM B. SHUBB
26 UNITED STATES DISTRICT JUDGE